

REMARKS

Applicant thanks the Examiner for the Interview held on December 11, 2008 and for indicating that the proposed amendments would overcome the art of record.

Claims 6-23 are pending. By this amendment, claim 1 is amended to more precisely recite the novel features of the present application and new claims 25-27 are added. Support for the amendments and new claims can be found at least at [0052], [0055]-[0058], and [0060]-[0061] of the specification. No new matter is introduced. Reconsideration and issuance of a Notice of Allowance are respectfully requested.

35 U.S.C. § 103 Rejections

On page 4 the Office Action rejects claims 6-15, 18, 20, and 23 under 35 U.S.C. §103(a) over U.S. Patent Application Publication 20010011226 to Greer et al. (hereafter Greer) in view of U.S. Patent Application Publication 20050097008 to Ehring et al. (hereafter Ehring). The Office Action asserts on page 4 that Greer teaches “at least one targeted advertising trigger having functionality to notify the rules-based agent to begin evaluating said data” at paragraphs [0020] and [0021] and 316 of Figure 3 because Greer discloses a triggering program that “determines if the data is important in step 316.” This rejection is respectfully traversed.

Greer is directed to a method and apparatus for targeting advertising information transmitted over the Internet. Paragraphs [0020] and [0021] provide that:

A triggering program *determines if the data is important* in step 316.
... If the triggering program *determines* that the data collected by the agent *is not important*, the content provider returns to step 312 instructing the agent to collect further information.

When the trigger program *determines that data is significant*, the content provider verifies that an identification code “ID” has been created for the particular user and that a baseline profile has been established in step 320.

...

(Emphasis added). Significantly, Greer’s triggering program *performs the evaluation* of whether the data collected by the agent is important *itself*, which is *not notifying the rules-based agent to begin evaluating* said data *when* the triggering program *detects a change* in hardware presence, software presence, user behavior, or time. Further, Greer’s triggering program determines or evaluates *whether the data is important*, which is *different* from notifying the rules-based agent to begin the *data evaluation* that is *related to the change* in hardware presence, software presence, user behavior, or time.

Paragraphs [0013], [0014], and [0023] of Greer describe that the user profile contains amount of time spent at a web site, software used, and hardware configuration of the target computer, and that the keys related to the rule page include a hardware profile 210 (such as the CPU used, the amount of RAM available, and the CPU clock speed), a software profile 212 (such as the most popular software packages used by the target computer in a top 10 list and the memory usage disk space occupied by the software being used), and a user profile 216. However, these paragraphs do not disclose or suggest a targeted advertising trigger that *notifies* the rules-based agent to *begin evaluating* the data *when* the target advertising trigger *detects a change* in hardware presence, software presence, user behavior, or time, and that *the data evaluation relates to the change* in hardware presence, software presence, user behavior, or time.

Ehring is directed to an automated interactive system that enables an author to build applications that handle complex consumer-merchant interactions. However, Ehring does not cure Greer's defect and does not disclose or suggest a targeted advertising trigger that *notifies* the rules-based agent to *begin evaluating* the data *when* the target advertising trigger *detects a change* in hardware presence, software presence, user behavior, or time, and that *the data evaluation relates to the change* in hardware presence, software presence, user behavior, or time.

To the contrary, independent claim 6 has been amended to more precisely recite the novel features of the present application and recites: "at least one targeted advertising trigger having functionality to notify the rules-based agent to begin evaluating said data when the at least one target advertising trigger detects a change in one or more of hardware presence, software presence, user behavior, and time, wherein said data evaluation relates to said change." As noted above, Greer and Ehring, individually and in combination, do not disclose or suggest these features. Therefore, amended claim 6 is patentable.

Claims 7-15, 18, 20, and 23 depend from patentable claim 6. For these reasons and the additional features they recite, claims 7-15, 18, 20, and 23 also are patentable.

Withdrawal of the rejection of claims 6-15, 18, 20, and 23 under 35 U.S.C. §103(a) is respectfully requested.

On page 7 the Office Action rejects claims 17 and 19 under 35 U.S.C. §103(a) over Greer in view of Ehring and further in view of U.S. Patent 6,513,052 to Binder (hereafter Binder). This rejection is respectfully traversed.

Binder is directed to a targeted advertising method over global computer networks. However, Binder does not cure Greer and Ehring's defect and does not disclose or suggest a

targeted advertising trigger that *notifies* the rules-based agent to *begin evaluating* the data *when* the target advertising trigger *detects a change* in hardware presence, software presence, user behavior, or time, and that *the data evaluation relates to the change* in hardware presence, software presence, user behavior, or time. Therefore, amended claim 6 is patentable over Greer, Ehring, and Binder.

Claims 17 and 19 depend from patentable claim 6. For these reasons and the additional features they recite, claims 17 and 19 also are patentable.

Withdrawal of the rejection of claims 17 and 19 under 35 U.S.C. §103(a) is respectfully requested.

On page 8 the Office Action rejects claims 16 and 21-22 under 35 U.S.C. §103(a) over Greer in view of Ehring and further in view of U.S. Patent Application Publication 20020042747 to Istvan (hereafter Istvan). This rejection is respectfully traversed.

Istvan is directed to methods and systems of providing automatic prompting for printer ink refill of a printer connected to a communication device. However, Istvan does not cure Greer and Ehring's defect and does not disclose or suggest a targeted advertising trigger that *notifies* the rules-based agent to *begin evaluating* the data *when* the target advertising trigger *detects a change* in hardware presence, software presence, user behavior, or time, and that *the data evaluation relates to the change* in hardware presence, software presence, user behavior, or time. Therefore, amended claim 6 is patentable over Greer, Ehring, and Istvan.

Claims 16 and 21-22 depend from patentable claim 6. For these reasons and the additional features they recite, claims 16 and 21-22 also are patentable.

Withdrawal of the rejection of claims 16 and 21-22 under 35 U.S.C. §103(a) is respectfully requested.

New Claims

New claims 25-27 are allowable at least because they depend from patentable claim 6, and for the additional features they recite. For example, Greer, Ehring, Binder, and Istvan, individually and in combination, do not disclose or suggest "wherein the user receives the message without having to disclose personal data to an outside entity," as recited in claim 25. Similarly, Greer, Ehring, Binder, and Istvan, individually and in combination, do not disclose or suggest "wherein said at least one targeted advertising trigger notifies the rules-based agent to begin evaluating said data when the at least one target advertising trigger detects that a print job has been completed, and wherein the rule-based evaluates whether a current ink level of a printer is lower than a predetermined threshold, and displays information regarding a new ink cartridge," as recited in claim 26. Likewise, Greer, Ehring, Binder, and Istvan,

individually and in combination, do not disclose or suggest “wherein said at least one targeted advertising trigger notifies the rules-based agent to begin evaluating said data when the at least one target advertising trigger detects that the user uses the user computer on a battery for a predetermined period, and wherein the rule-based evaluates the battery and displays information regarding a longer lasting battery,” as recited in claim 27.

Conclusion

In view of the above remarks, Applicant respectfully submits that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant’s undersigned representative at the telephone number listed below.

Respectfully submitted,

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